

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

O I P E

Total Number of Pages in This Submission

22

Application Number	09/916648
Filing Date	07/30/2001
First Named Inventor	Martin Birk et al.
Group Art Unit	
Examiner Name	

Attorney Docket Number

2000-0482

JAN 14 2002

PATENT & TRADEMARK OFFICE

Enclosures (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Response
- After Final
- Affidavits / Declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts under 37 CFR 1.52 or 1.53
- Response to Missing Parts/Incomplete Application

- Assignment & Recordation Cover Sheet
- Drawing(s) & Letter to Official Draftsman
- Licensing-related Papers
- Petition to the Commissioner
- Petition to Convert a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund

- After Allowance Communication to Group
- Appeal Communications to Board of Appeals and Interferences
- Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Return Receipt Postcard
- CD, Number of CDs
- Additional enclosure(s) (please identify below)

COPY OF PAPERS
ORIGINALLY FILED

Remarks

CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label

Customer Number - 26652

or Correspondence address below

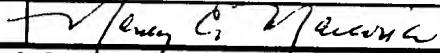
NAME	Samuel H. Dworetzky		
ADDRESS	AT&T CORP. P.O. Box 4110		
CITY	Middletown	STATE	New Jersey
COUNTRY	United States of America	ZIP CODE	07748-4110
FAX	732-368-6932		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Cedric G. DeLaCruz	Reg. #	36498
TELEPHONE	908-221-5430		
SIGNATURE			
	DATE	11-8-01	

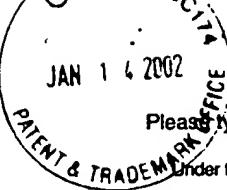
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 11-8-01

Type or Printed Name	Nancy C. Marcovici		
Signature		Date	11-8-01

SEND TO: Commissioner for Patents, Washington, D.C. 20231

JAN 16 2002

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/916,648
		Filing Date	July 30, 2001
		First Named Inventor	Birk et al.
		Group Art Unit	TBA
		Examiner Name	TBA
Total Number of Pages in This Submission	20	Attorney Docket Number	03493.00130

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration, Assignment and Recordation Form Cover Sheet	
			<input type="checkbox"/> Assignment Papers (for an Application)
			<input type="checkbox"/> Drawing(s)
			<input type="checkbox"/> Licensing-related Papers
			<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition
			<input type="checkbox"/> Petition to Convert to a Provisional Application
			<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
			<input type="checkbox"/> Terminal Disclaimer
			<input type="checkbox"/> Request for Refund
			<input type="checkbox"/> CD, Number of CD(s)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Catherine A. Ferguson, Reg. No. 40,877
Signature	<i>Catherine A. Ferguson</i>
Date	September 24, 2001

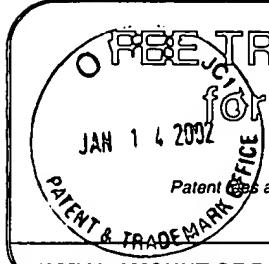
CERTIFICATE OF MAILING

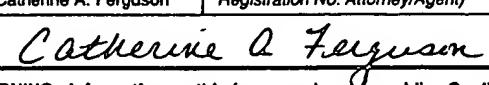
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name		Date
Signature		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

		Complete If Known																																																																																																																																																																																											
		Application Number	09/916,648																																																																																																																																																																																										
		Filing Date	July 30, 2001																																																																																																																																																																																										
		First Named Inventor	Birk et al.																																																																																																																																																																																										
		Examiner Name	TBA																																																																																																																																																																																										
		Group / Art Unit	TBA																																																																																																																																																																																										
TOTAL AMOUNT OF PAYMENT (\$ 1104		COPY OF PAPERS ORIGINALLY FILED																																																																																																																																																																																											
METHOD OF PAYMENT (check one)		FEES CALCULATION (continued)																																																																																																																																																																																											
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Fee Code</th> <th style="width: 10%;">Large Entity Fee (\$)</th> <th style="width: 10%;">Small Entity Fee Code</th> <th style="width: 10%;">Fee (\$)</th> <th style="width: 60%;">Fee Description</th> <th style="width: 10%;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="6" style="text-align: center; padding: 10px;">Other fee (specify) _____</td></tr> <tr> <td colspan="4" style="text-align: center; padding: 5px;">*Reduced by Basic Filing Fee Paid</td> <td colspan="2" style="text-align: center; padding: 5px;">SUBTOTAL (3) (\$ 170)</td> </tr> </tbody> </table>		Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	130	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	130	123	130	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00	146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____						*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 170)	
Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																								
105	130	205	65	Surcharge - late filing fee or oath	130																																																																																																																																																																																								
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																									
139	130	139	130	Non-English specification																																																																																																																																																																																									
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																									
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																									
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																									
115	110	215	55	Extension for reply within first month																																																																																																																																																																																									
116	390	216	195	Extension for reply within second month																																																																																																																																																																																									
117	890	217	445	Extension for reply within third month																																																																																																																																																																																									
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																									
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																									
119	310	219	155	Notice of Appeal																																																																																																																																																																																									
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																									
121	270	221	135	Request for oral hearing																																																																																																																																																																																									
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																									
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																									
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																																									
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																									
143	440	243	220	Design issue fee																																																																																																																																																																																									
144	600	244	300	Plant issue fee																																																																																																																																																																																									
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																									
123	130	123	130	Petitions related to provisional applications																																																																																																																																																																																									
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																									
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00																																																																																																																																																																																								
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																									
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																									
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																																																									
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																									
Other fee (specify) _____																																																																																																																																																																																													
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 170)																																																																																																																																																																																									
**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																													

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Catherine A. Ferguson	Registration No. Attorney/Agent)	40,877
Signature			Telephone
			202-508-9203
Date	September 24, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/916,648	07/30/2001	AT&T PAT [KNC Reichmann] DOCKETED BY <i>me</i> DIRECTLY MANAGED NOT DOCKETED	03493.00130
28317 BANNER & WITCOFF LTD., ATTORNEYS FOR AT & T CORP 1001 G STREET, N.W. ELEVENTH STREET WASHINGTON, DC 20001-4597		SEP 26 2001	CONFIRMATION NO. 8483 FORMALITIES LETTER OC000000006534657*
		PREVIOUSLY DOCKETED	
		PREVIOUSLY ABANDONED	
		FILED BY	

Date Mailed: 09/10/2001

Due: 11/10/01

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- || • The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- || • Total additional claim fee(s) for this application is \$144.
 - \$144 for 8 total claims over 20.
- || • The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- || • To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- || • The balance due by applicant is \$ 984. //

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- || • Substitute drawings in compliance with 37 CFR 1.84 because: //

- || • drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

Thaine
A copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

14 P E S C T
JAN 14 2002
U. S. TRADEMARK OFFICE

CGD
2000-0482

COPY OF PAPERS
ORIGINALLY FILED

PATENT DESIGN B&W Ref. 03493.00130 Date 9/24/01

HAND CARRY Group/Section _____ Bldg _____ Rm _____

Serial/Patent No. 09/916,648 Atty/Sec. C. Ferguson/J. Johnson

Inventor Birk et al. Client AT&T

Title METHOD OF FLEXIBLE MULTIPLE BROADCAST SERVICE DELIVERY OVER A WDM
PASSIVE OPTICAL NETWORK BASED ON RF BLOCK CONVERSION OF RF SERVICE BANDS

WITH THE FOLLOWING BANDS U.S. Patent and Trademark Office on the date stamped hereon:

total pp Spec., including : # of Claims _____
(# of independent claims _____); Abstract

Drawings : Formal Informal
of distinct sheets _____ : Figs. _____

Declaration/Power of Attorney : Executed Unexecuted

Assignment w/PTO Cover Sheet

IDS w/PTO 1449 References w/fee

Preliminary Amendment

Priority Claim (Foreign or U.S. Provisional. B&W # _____)

Sequence Listing : Diskette Paper

Amendment Response : OA dtd _____

Petition for Extension of Time until _____

CPA RCE w/Ext of Time : OA dtd _____

Request for Approval of Drawing Changes

Notice of Appeal & Fee

Brief : Appeal & Fee Reply

Request for Oral Hearing

Issue Fee Advance Patent Copies (# ordered _____)
Notice of Allowance dtd _____

Amendment under 37 CFR 1.312

Request for Certificate of Correction

Transmittal Fee Transmittal w/Auth. to Charge Deposit Acct.

Certificate of Mailing

Check # _____ for \$ _____

Country Appl. # Date
 w/Foreign Priority Document(s)

Application : CIP Continuation Divisional
Parent Ser. No. _____ B&W# _____

U.S. Provisional _____ pp Spec/Claims; Cover Sheet

Response to Missing Parts/Requirements dtd 9/10/01

Response to Notice to File Corrected Appln. Papers dtd _____

Request for Expedited Foreign Filing License

Request for Corrected : Filing Receipt Assignment

Response to Restriction/Election Requirement

B&W Rev. 501

161 PATENT	
SEP 20 2001	
PREVIOUSLY DOCKETED	SEARCHED
PREVIOUSLY ANSWERED	INDEXED
FILED BY	



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant(s): Martin Birk et al.

Attorney Docket No.: 2000-0482

**COPY OF PAPERS
ORIGINALLY FILED**

Application No.: 09/916648

Filing Date: 07/30/2001

Examiner Name:

Group Art Unit:

Title: Method of Flexible Multiple Broadcast Service Delivery Over a WDM Passive Optical Network Based on RF Block-Conversion of RF Service Bands Within Wavelength Bands

**COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231
ATTN: Initial Patent Examination Division**

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

Enclosed are the formal drawings (7 sheets) for the above-identified application. Please substitute these formal drawings for the informal drawings filed with the application.

Please note we responded on September 24, 2001 to the Notice to File Missing Parts with the an executed Declaration and with payment of all fees. A copy of these documents is enclosed. We are also enclosing a copy of the Notice to File Missing Parts.

Date: 11-2-01

By:

Cedric G. DeLaCruz

Attorney for Applicant(s)

Reg. No.: 36498

T: 908-221-5430

F: 732-368-6932

AT&T CORP.

P.O. Box 4110

Middletown, New Jersey 07748-4110